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THE SITUATION IN THE MIDDLE EAST
MEASURES TO ELIMINATE INTERNATIONAL
TERRORISM

SECURITY COUNCIL
Fifty-fourth year

Letter dated 22 August 1999 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General

I would like to refer to the letters addressed to the Secretary-General, dated 9 July 1999 (A/53/1016-S/1999/771) and 15 July 1999 (A/53/1021), from the Chargé d'affaires a.i. of the Permanent Mission of Lebanon and the Permanent Representative of Lebanon, respectively, and the letter dated 9 August 1999 (A/53/1034-S/1999/861) from the Permanent Representative of Saudi Arabia.

The detainees referred to in the above-mentioned letters have all been active members of, or associated with, terrorist organizations such as Hizballah, an Iranian-backed group whose stated objectives include, among others, a struggle against the very existence of the State of Israel. These detainees were actively involved in terrorist activities in or from Lebanon directed against Israel.

Contrary to the allegations in the above-mentioned letters, the detainees in Israel are not being held arbitrarily, but pursuant to Israeli law applicable to all detainees. They have the right to be represented by lawyers, and their detention is subject to regular periodic judicial review. They have the right to appeal to the Supreme Court of Israel sitting as a High Court of Justice, and indeed have exercised this right. Their religious beliefs and practices are fully respected, and they received medical care and follow-up attention, as required by Israeli law for all detainees. Furthermore, the question of their continued detention is currently pending before the Supreme Court of Israel.

With regard to the El-Khiam detention facility in southern Lebanon, it is widely known that the South Lebanon Army exercises independent authority and responsibility over all aspects of the functioning of this facility. Israeli personnel are neither stationed there nor involved in its maintenance.

While Israel is not in a position to dictate to the South Lebanon Army the manner in which the El-Khiam facility is managed, it has nonetheless sought to encourage the establishment and enhancement of adequate conditions and improved standards for the detainees therein. Indeed, a recent report of the International Committee of the Red Cross (October 1998) confirmed that the South Lebanon Army has taken steps towards improving the conditions at El-Khiam. Furthermore, the El-Khiam facility, to the best of our knowledge, is the only one of its kind in Lebanon, regularly visited and supervised by ICRC. Family visits also take place there on a regular basis. Israel continues to encourage further improvement of conditions in the prison.

Clearly, the full implementation of Security Council resolution 425 (1978), in its entirety, remains the key element for resolving all problems arising within southern Lebanon. This resolution calls not only for the withdrawal of Israeli forces but also for the restoration of international peace and security along the common border and the return of the effective authority of the Lebanese Government in the area.

The volatile situation in southern Lebanon is a direct result of Lebanon's refusal to accept Israel's offer to implement resolution 425 (1978). The Government of Lebanon is thus directly responsible for this situation.

I should be grateful if you would have the present letter circulated as a document of the General Assembly, under agenda items 40 and 155, and of the Security Council.

(Signed) Dore GOLD
Ambassador
Permanent Representative